

and formulating said an inhibitor of the interacting molecules identified by the methods of claim 1 in a pharmaceutically acceptable form.

62. (Amended) A method for the production of a pharmaceutical composition, comprising
- i) identifying an interacting molecule by the method of claim 1,
 - ii) identifying a further molecule of a cascade of interacting molecules of which at least one of said identified interacting molecules identified by the methods of claim 1 is a part, and
 - iii) formulating said further molecule in a pharmaceutically acceptable composition of or identifying an inhibitor of the function of said further molecule.

REMARKS

In reply to the outstanding Restriction Requirement, mailed August 30, 2001, in connection with the above application, Applicants hereby elect Group I, claims 1-59 and 63-66, with traverse, for the reasons that follow.

Applicants submit that all of the claims of Groups II as amended depend from claims of Group I. In fact, Applicants submit that as amended, claims 60-62 of Group II and new claim 67 include all the limitations of the claims of Group I, and thus amended Group II and Group I are directed to the same invention. Therefore, a search of Group I necessarily entails a search of the subject matter of Groups II. In addition, there are only four claims in Group II (including the new claim 67). Accordingly, Applicants submit that, in any event, simultaneous examination of these two groups poses no significant additional burden on the Examiner.

In reply to the outstanding species Restriction Requirement in connection with the above application, Applicants hereby elect with traverse and for search purposes only: A) protein-protein interaction type; B) methods directed to identification or formulation of interacting molecules per se; and C) readout system also includes a counterselectable genetic element.

As to species election requirement A, Applicants submit that species subjected to election are encompassed by a Markush group. Pursuant to MPEP 803.02, "If the members of the Markush group are sufficiently few in number or so closely related that a search and examination of the entire claim can be made without serious burden, the examiner must examine all claims on the merits, even though they are directed to independent and distinct inventions." Applicants submit that such is the case in claim 4. Particularly, since proteins and peptides have overlapping meanings, at least three types of interactions (protein-protein, protein-peptide, and peptide-peptide) can be examined simultaneously without significant additional burden on the Examiner. In addition, Applicants respectfully point out that the search of the Markush-type claim will be extended to non-elected species should no prior art be found that anticipates or renders obvious the elected species (MPEP 803.02).

As to species election requirement B, Applicants submit that many inhibitors of interactions do so by means of an interaction with one of the binding partners, and therefore these two species are highly overlapping. In addition, Applicants submit that any method to identify inhibitors according to the instant invention is equally suitable to identify interactions. Hence, in the course of examining species B-1, the Examiner would necessarily have to search methods directed to identification of an inhibitor as well. Accordingly, simultaneous examination of both groups would impart no significant additional burden.

As to species election requirement C, Applicants submit that in the field in question, the result of selection with just positive or positive plus negative selection is not different in complexity. Thus, Applicants are unable to discern the rationale by which the Examiner arrives at species election C. Clarification is respectfully requested.

Lastly, Applicants note that restrictions imposed on species encompassed by generic claims must be withdrawn upon indication of an allowable generic claim (MPEP 809).

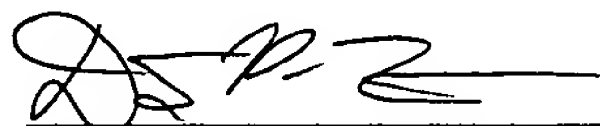
As a single disclosed species, Applicants elect the species disclosed in Example 4.1 starting on page 61 for search purposes only. Applicants submit that claims 1-34, 36-59 and 63-66 read on this disclosed species.

Early and favorable consideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945.**

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Respectfully Submitted,



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